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TO ALL DIPLOMATIC POSTS COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 STATE 129919

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E.O. 12958: DECL: 09/06/2017

TAGS: [UNSC](#) [LE](#) [PTER](#)

SUBJECT: DEMARCHE REQUEST: ENCOURAGING CONTRIBUTIONS TO  
THE SPECIAL TRIBUNAL FOR LEBANON

Classified By: James Warlick, Acting, for reasons 1.4 (b) and (d).

[11](#). (U) This is an action request. Please see paragraphs  
2 and 3.

[12](#). (U) Department requests Posts encourage host  
governments to make a financial contribution to the  
Special Tribunal for Lebanon charged with trying those  
responsible for the assassination of former Lebanese Prime  
Minister Rafiq Hariri. The U.S. would like the UN to  
operationalize the Tribunal quickly; however, the  
agreement establishing the Tribunal requires the UN to  
meet a significant funding threshold in order to begin the  
process. We will announce a U.S. contribution shortly and  
would like to encourage other countries to do the same.  
Ambassadors (or COMs) should use their discretion in  
determining whether and at which level it is appropriate  
to deliver this demarche given host government's means and  
interests. (Note: The Government of the Netherlands has  
agreed to host the Tribunal and is, therefore,  
particularly interested in this issue. If the Government  
of the Netherlands is represented in host country, COM  
should let the Dutch know that we are delivering this  
demarche and can offer to conduct a joint demarche at  
Post's discretion. End note.) Please draw from the  
background material in paras 5 - 8 below when preparing  
talking points.

[13](#). (U) Department requests Posts pursue the following  
objectives:

-- Note that the UN has established a budget for the  
Special Tribunal for Lebanon and has informed the Security  
Council that it will be contacting Member States shortly  
to solicit contributions for the Special Tribunal for  
Lebanon.

-- Note the U.S. will announce our significant  
contribution to the Tribunal soon.

-- Encourage host country to make a contribution, noting  
even small amounts would be appreciated.

-- If raised: Underscore the importance of the  
international community supporting the Lebanese people's  
quest for justice despite the controversy surrounding the  
establishment of the Tribunal.

-- For Embassy The Hague: Please express U.S.  
appreciation for agreeing to host the Tribunal and inform  
the GON that we are delivering this demarche.

[14](#). (U) Reporting deadline: Posts should report the  
results of this demarche to IO/UNP by September 21.  
Please info USUN New York on responses.

[15](#). (U) Background: The assassination of former Lebanese  
Prime Minister Rafiq Hariri on February 14, 2005, led to  
widespread protests in Lebanon and the withdrawal of  
Syrian troops from Lebanon in April 2005. At the

Government of Lebanon's request, the UN established the UN Independent International Investigation Commission (UNIIIC) and worked with Lebanese officials to negotiate the statute for the Tribunal to try those responsible for the assassination. Approval of the Tribunal became a key element in political tension in Beirut, which pitted PM Siniora and his March 14 allies (the Saad Hariri faction) against the pro-Syrian Hizballah-Aounist Alliance. The UN and the Lebanese Cabinet approved the Tribunal Agreement and Statute; however, Hizballah and Syrian sympathizers prevented the Lebanese Parliament from convening to ratify the Agreement.

¶6. (U) Background continued: After a majority of Lebanese parliament members expressed their desire to see the Tribunal established by UN action, the UN Security Council adopted UN Security Council resolution 1757 (2007), under which the provisions of the Tribunal Statute and Agreement entered into force on June 10, 2007. UNSC resolution 1757 received ten supporting votes (U.S., UK, France, Slovakia, Belgium, Italy, Ghana, Congo-B, Panama, and Peru) and five abstentions (Russia, China, South Africa, Qatar, and Indonesia). The five abstaining countries expressed concern about the legal basis of the resolution, that UN action could lead to civil war in Lebanon, and the perception the UN was choosing sides in Lebanese internal politics.

¶7. (U) Background continued: The Agreement provides

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that fifty-one percent of the Tribunal's expenses will be borne by voluntary contributions from States, and forty-nine percent by the Government of Lebanon. A September 4 report by the Secretary General estimates that the Tribunal will require a budget of \$35 million for the first year of its operations, \$45 million for the second year, \$40 million for the third year and, if a second Trial Chamber is added, an additional \$8 million per year. The Secretary General has indicated that he will not commence the process of establishing the Tribunal until he has sufficient contributions in hand to finance the establishment of the Tribunal and twelve months of its operations plus pledges equal to the anticipated expenses of the following 24 months of the Tribunal's operation. On July 26, 2007, the UN Secretariat created a trust fund to receive contributions for the establishment and activities of the Special Tribunal. The UN expects to send shortly a letter to Member States inviting them to contribute to the trust fund.

¶8. (C) Background continued: The U.S. expects to announce a contribution of \$5 million for the first year and intends to identify at least an additional \$20 million over the next few years. However, the latter figure may change given the higher than expected estimates of the cost of the Tribunal. We understand that the Government of Lebanon will be making its contribution to the Tribunal by the end of September.

¶9. (U) Point of Contact: Please contact Anneliese Reinemeyer, IO/UNP, at (202) 647-0046 or in the GAL for additional background as necessary.  
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